

A
REPRESENTATION

Of the STATE of the

English Oyster-Fisheries;

And of the

Hardships and Discouragements

The OYSTER-DREDGERS of this
Kingdom labour under, from the DUTIES upon
Foreign OYSTERS imported being payable
Ad valorem on the Oaths of the Importers.

WITH THE

CASE and OBSERVATIONS
Stated on the IMPORTERS Side.



L O N D O N:

Printed in the Year M DCC XXXVII.

REPRESENTATION

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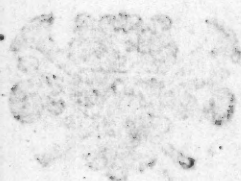
Harbours and Discharge

THE OYSTERS PRODUCED OF THIS
KINGDOM LABOURING UNDER THE DUTIES upon
Foreign OYSTERS, and being payable
An account of the same.



IN THE

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Said on the Importation



LONDON

Printed by the Yearly Book

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C O P Y

OF THE

Oyster-Dredger's Petition.

To the Right Honourable the Lords Commissioners
for executing the Office of LORD HIGH TREASURER of GREAT BRITAIN.

*The humble Petition of the Fishermen, or
Dredgers of the several Oyster-Fisheries
within and along the Coasts of the County
of KENT, for themselves, and on the Be-
half of the Fishermen belonging to many
Oyster-Fisheries in the County of ESSEX,
SUSSEX, and SOUTHAMPTON.*

SHewETH,



THAT your Petitioners, who are *very*
numerous, have, for many Years em-
ploy'd themselves, Servants and Vessels
in improving their respective *Oyster-
Fisheries*; and, for the carrying on such
Work, go into the *Western Channel*, and
other Parts of this KINGDOM, to take and to buy
Oysters, Brood and Spat of Oysters there, and lay
them in their respective *Oyster-Fisheries*, or *Oyster-
Grounds*, to fatten and become fit for *London* and o-
ther Markets; and that such Trade and Business is

the chief Dependance and Employ of your Petitioners for their Support in the Winter Season.

That, of late Years, great Quantities of *foreign Oysters* have been, and now are imported into this Kingdom; and being *unrated Goods*, and Merchandize are chargeable with Duties to the Crown, according to the Value and Price ascertained by the Oath, or Affirmation of the *Importers*, who buying such foreign Oysters at low Rates and very cheap abroad, generally ascertain the Values, when imported, in an *evasive and fraudulent Manner*, and at much lower Values and Prices than the Importers actually sell them; and the true Quantities imported are often concealed.

That the Effect and Consequence of thus importing *foreign Oysters* (besides the Abuse and great *Defrauds* to the Revenue of the Crown) tends to the *great Discouragement* of your Petitioners to continue their honest Endeavours and Labour, by *themselves, Servants and Vessels*, to trade, dredge for, take, or buy Oysters within our own Kingdom (*where there is no Lack, but a continual Supply*) and to the Prejudice, Decay and Ruin of our own *Fisheries and Oyster Grounds*, and to the Hindrance and Neglect of training up *Numbers of good Seamen*, who, as Occasion offers, are very useful People in His MAJESTY'S Ships of War.

That your Petitioners are also particularly affected by the Matters complained of, making little or no Profit from their respective Fisheries, and thereby rendred unable to pay off and discharge the Monies they borrow upon their Securities, to improve their Fisheries, and carry on such Business for their Support.

Your Petitioners, therefore, most humbly pray your Lordships will be pleased to take this Case into Consideration, and be a Means of assisting your Petitioners, so that the present Method for paying Duties to the Crown for foreign Oysters imported may be rectified; and that such Oysters may be specifically rated at proper, fixed and certain Duties;

Duties, or your Petitioners otherwise relieved in the Premises, as the Facts suggested shall be made appear, and require Relief with Respect to this Trade.

And your Petitioners, as in Duty bound, shall ever Pray, &c.

The Petitions were presented the 8th February, 1736, and were immediately referred to the Honourable the Commissioners of the Customs.

Copy of the REPORT of the Honourable the Commissioners of the Customs, to the Right Honourable the Lords of the Treasury.

May it please your Lordships,

IN Obedience to your Commands, signified by Mr. Scrope, in his Letter of the 8th ultimo, transmitting several Petitions from the Fishermen and Dredgers of several *Oyster-Fisheries*, herewith returned, representing the Difficulties they labour under, by the great Importation of *foreign Oysters*, entred at *Under-values*, praying to be relieved therein.

We humbly report, That it appears, by Accounts delivered us by the proper Officers, that *foreign Oysters*, have been imported only from FRANCE, and into no other Ports, but *Rocheſter, Faversham, Colcheſter, and Malden*; at which Places 213,897 Bushels have been entred between the Year 1718 and *Chriſtmas* laſt; that the ſaid Oysters coming from FRANCE, are chargeable with ſeveral *Duties*, amounting

ing to 65 * *per Cent*, but not being rated, they have been entred at different Prices, according to the Oaths of the Importers, the total Value of the *whole Quantity* entred in that Time being 16:1 *l.* 12 *s.* which, at a *Medium*, is under *Twopence per Bushel*, and the whole Duty collected amounts to 1016 *l.* 10 *s.* 9 *d.* three Farthings, which, at a *Medium*, is about *One Penny Farthing per Bushel*.

We further report, That it appears by the said Accounts, that the greatest Part of the said Oysters have been considerably *undervalued*, the Importers having formerly entred them from *Two Shillings and Sixpence* to *One Shilling per Bushel*, but, of late Years, they have been sworn only at *Three-pence, Two-pence, One Penny*, and sometimes as low as a *Farthing per Bushel*, and *under*, being much less than the true Value. And it further appears, by the *Affidavits* which the Petitioners have laid before us, that *two Cargo's* of Oysters, valued only at 5 *l.* each, were immediately sold, one for upwards of 50 *l.* and the other for upwards of 60 *l.* From all which it is evident, the Revenue has been greatly defrauded.

We are, therefore, humbly of Opinion, it will be an Advantage to the Revenue, and put the Importers of Oysters on a more equal Foot, if a *Rate* be fixed, by Law, on all *foreign Oysters* imported, and the *Contents* of the Bushel ascertained, which, at present, varies at different *Ports*.

And, if your Lordships approve thereof, we humbly offer, That the Rate be 7 d. per Bushel, strict Measure of the Winchester Corn Bushel, whereby the neat Duties

* 12 <i>Carl. II.</i> Old Subsidy	-	-	-	5	<i>per Cent.</i>
1 <i>Geo. II.</i> Further Subsidy	-	-	-	5	0 0
2 <i>Ann.</i> One third Subsidy	-	-	-	1	13 4
3 <i>Ann.</i> Two thirds Subsidy	-	-	-	3	6 8
4 and 5 <i>W. M.</i> Additional Impost	-	-	-	25	0 0
7 and 8 <i>Will. III.</i> French Duty	-	-	-	25	0 0
					<i>L.</i> 65 0 0 <i>per Cent</i>

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whereon, when imported from FRANCE, will amount to about 4 d. Farthing per Bushel.

All which is humbly submitted to your Lordships Consideration.

Customhouse, London,
22 March, 1736.

*John Hill.
John Stanley.
R. Corbet.
J. Evelyn.*

April 14, 1737, a Copy of this Report was presented from the Commissioners of the Customs, to the Honourable the House of Commons (pursuant to their Order.)

The CASE of the *Oyster-Dredgers*, or *Fishermen* of the *Oyster-Fisheries*, in *Kent*, *Essex*, *Sussex*, and *Southampton*; with some OBSERVATIONS,

Humbly addressed to the Honourable the HOUSE of COMMONS.

THE publick Wealth, Honour, and Safety of this Preamble of Kingdom, as well as the Maintenance of Trade, the Billings and Support of Navigation, depend very much on gate *Act*, 10 the Improvement and Encouragement of the *Fishery*. and 11 W. 3.

The *Oyster-Fishery* is a considerable Branch of it, and every Discouragement thereof is a publick Inconvenience, and a great Prejudice to the People, and to the Towns and Neighbourhoods where they trade and dwell.

Oysters are produced and grow in all the Seas and Salt Water; the Young, or Spawn of *Oysters* are produced in (1) *numberless Quantities* in this Kingdom, between the Months of *May* and *August*, yearly; in which Time, none are taken or marketed: That Season is called their *Sickness*; they are not fit to be then eaten.

The

(1) One *Oyster* produces many Thousands.

The *Spawn*, or *Brood Oysters*, are not subject to Destruction, as the *Eggs* and *Fry* of many other Sorts of Fish are, by hanging in Clusters, as the Eggs of *Lobsters*, nor as the *Roe* of other Fish; neither are they *Bait* or *Food* to any other Fish; nor are they marketed for Consumption, if taken, till of a *due Size*, but laid again in the Fisheries to grow: And the *Oyster Spawn* is distributed all over the Seas, Rivers, and Waters, by the Flux and Reflux.

For when the Eggs, or *Spat* (as it is called by Fishermen) are first shed, they rise in a very small Bubble of Oil and Glew, and float on the Surface of the Waters, and are moved to and fro, till, by the Air and Sun, they are brought to Maturity, and the Shell formed; and then, by their natural Gravity, subside, and always remain at the Place they fall.

This being the Method of the Production of Oysters, every Part of the Kingdom along the Coasts, and near the Salt Rivers and Indraughts, are peopled by (2) Oyster Dredgers, or Fishermen trading in Oysters, and they are computed to be near 10,000 People in England, Apprentices included; they are not incorporated into one Body, but are divided into different Companies, according to their first Establishment, and are admitted and governed by the particular Laws of each several Society.

The *Oyster-Drudgers* are industrious Managers of a Growth of this Kingdom, by removing Oysters from some Parts to others, and laying them in *Beds*, to improve and fatten, for a plentiful Supply of London, and other Markets: And in the Oyster Trade are many Branches, employing Numbers of People, and producing a Profit for their Labour, viz.

The Dredgers sell to the Freighters,

The Freighters sell to the Storers, or Layers of Oysters in Beds.

The Storers sell to the Marketmen.

The Marketmen sell to the Retailers, and

The Retailers sell for the Consumption.

(2) In the Counties of Kent, Essex, Suffolk, Norfolk, Lincoln, York, Sussex, Southampton, Dorset, and Devon.

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In (3) *Kent* and (4) *Essex* are many very ancient and spacious *Oyster-Fisheries*, and *Oyster Grounds*, belonging to many different Societies, or Companies, some of which consist of between 3 and 400 Members, besides Apprentices. These Fisheries produce yearly very great *natural Corps*; and the Beds, or Soils of these Rivers and Ingrounds are the best and most fit for improving *Oysters* for *London*, and other Markets; and therefore these Fishermen, from *Christmas* till the latter End of *May*, yearly (which is called the *Storing Season*) fit up their Vessels, carrying four and five Hands a-piece, and go to the *West* and *North* Channels, and other Parts of this Kingdom, to dredge for *Oysters* and *Brood*; and, as well as working themselves, trade with the Companies of *Oyster-Dredgers* in those Parts, and bring all such *Oysters* and *Brood*, and sell them to the several Companies of *Kent* and *Essex*, who lay and dispose of them in their several Fisheries, to be improved for Market against the next Winter, or *Market Season*. And, in this Part of the Trade, great Numbers of *Dredgers*, *Servants*, and *Vessels*, are employed, and many *Thousand Pounds* are yearly laid out in our *English* Fisheries for *Oysters*, and a great deal of Money expended in the *West* and *North* Parts of this Kingdom, for *Flesh*, *Bread*, *Drink*, and other Provisions and Necessaries for the People, and Vessels trading in these Parts, during the *Storing Season*.

From the latter End of *May* till *St. James's-Tide*, no *Oysters* are worked for, or taken, because of their Spawning; but, as soon as that is over, and on *St. James's Day* yearly, the Market begins at *Billingsgate* for the Consumption, and continues till *May-Tide*. In this Season each several Company sells both the *laid* and native *Oysters* to the Marketmen, to supply *London Market*; and it is the Care and Business of every Company to get off their Stocks as fast as they can, lest they should be destroyed by extraordinary

(3) The *Medway*, and eighteen other spacious Rivers, Royalties, and *Indraughts*.

(4) *Candy-Island*, *Burnham*, *Malden*, *Colchester*, *Harwich*, *Maningtree*, *Orwell River*, and *Indraughts*.

(5) Land-

(3) Land-Floods, or great Frosts; for *Oysters* being very tender Animals, cannot endure those Severities; and, in the Winter Season, the utmost Caution is taken for the Preservation of the Young, or Brood *Oysters*, for they are thrown into the Waters again, by the particular Laws of the Fisheries, under severe Penalties, in case of Neglect.

In this Way has the *English Oyster Trade* been carried on very successfully many Years, and *London* plentifully supplied with wholesome and very fine *Oysters* from these Fisheries; but, of late, some People have imported *Oysters* from *Cancalle* in *France* into this Kingdom, to the very great Prejudice of the *English Fisheries*.

The Importation began in 1718 to countenance *Smuggling*; for under a Cargo of *Oysters* used to be concealed Brandy and other Things.

A few (6) People, not Fishermen, or *Oyster-Dredgers*, of late Years, getting into their Possession some Parts of the Shores in *Kent* and *Essex*, stock these Places with *French Oysters*, and vend them at *Billingsgate Market* only. They employ a few Vessels to go to *Cancalle* for them, and import very great Quantities; these they lay on the Shores for a (7) while, and, at Low water time, gather them up, and send to Market, endeavouring to monopolize the whole *Oyster Trade* to themselves, and to discourage the Labour and Industry of our *Oyster Dredgers*, and to restrain them from getting an honest Livelihood, by their *ancient* and lawful Employment.

(5) These Accidents, sometimes, occasion a Scarcity of *Oysters* in the Inground Fisheries, and on the Shores, but they are replenished again the next Season, from the Channels and deep Waters.

(6) The *Importers* concerned in the Shores of *Kent* and *Essex* are not above *eighteen* People, some Farmers, some Tradesmen and Women.

(7) They lay them about *March*, and market them in *August*, and so on, during the Winter Season; in which Time the Growth of their Shell is so extraordinary, that they are more than *double the Size* than when laid, and sometimes they don't lay above a Month or six Weeks, before they sell them at *London*, and then they are not wholesome.

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Oysters imported from *France* being *unrated Goods*, are to pay a Duty of 65 *per Cent*, according to their Value, ascertained by the *Oath*, or *Affirmation* of the *Importers*, or *Proprietors*. They undervalue the *Oysters* they report, and seldom report more than *One Third* of the Cargo, and often dispose of them without making any Report. They have several *Projects* and fictitious *Sales*, propounded only to evade the Duties, and to save the Purpose of taking the *Oath*, or making the *Affirmation* of a Value. Cargoes have been valued at *Five Pounds* on *Oath* at the *Customhouse*, and sold the same Day for *Sixty Pounds* and upwards.

When the Importation first began, the Importers valued their *Oysters* at *Two Shillings* and *Six pence per Bushel*; but the modern Importers have reduced the Value under a *Farthing* a Bushel. And thus, from the low Price *Oysters* are bought at in *France*, and the *Evasion* of paying the proper Duty, the Importers get rid of them at any Rate at *London Market*, and the rather because *French Oysters* are attended with a nauseous fætid Water, or Fluid between the Folds of the hollow Shells, which, in opening, are often broke, and the *Oysters* rendered unwholesom and unfit to (8) eat.

The *English Dredgers* being of late under so great Oppression, applied to the Right Honourable the Lords of the *TREASURY*, complaining of the *Frauds* committed against the Revenue in this Importation, and stating the *destructive* Consequence of it to the *English Dredgers* and *Fisheries*, their Petition was referred to the Honourable the Commissioners of the *CUSTOMS*, who, after a long Examination of the Matter, and hearing the *Petitioners* and *Importers*, were pleased to make their Report to the Lords of the *TREASURY*, a Copy of which is now before this *HONOURABLE HOUSE*.

For, so long as the *Importers* can, by their *Frauds*, evade paying the Duties to the *CROWN*, our Trade is not equal, nor any way proportionable with theirs;

(8) Break the under Shell of the *French Oysters* to Pieces; the Experiment will prove this Assertion, and the corrupted Worms found there aggravate the Charge.

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and 'tis impossible for our *Home Fisheries* to continue their Trade upon these unequal Terms. Therefore,

Our Dredgers must lay down their Business, and forsake their Trade.

The Numbers of People now employed, must be turned loose in the World.

The Business of building Smacks and small Craft must be laid aside.

The CROWN will lose the considerable Revenue arising from our Consumption of many customable Merchandizes used in our Vessels and Trade. And

The Government will lose this great and valuable Nursery of breeding up the best Seamen for the Service of the ROYAL NAVY.

Objection I. The *Importers* say, if any certain Duty, tho' never so low, is put upon *French Oysters*, they cannot be imported, and may be a Means to increase the Price of *Oysters*; for the *English* Fishermen may combine and bring but small Quantities to Market.

Answer. It is humbly insisted, that the *English* Growth very much exceeds the Consumption Yearly, and that there can be no Want of a full *Supply* to all Demands, but in Times of Extremity, by Frosts, &c. And it is impossible that such Numbers of People as the *English* Dredgers are, and in so many different Companies, and distinct Parts of the Kingdom, can confederate to bring only small Quantities to Market, when it is the Interest of them all to sell off their Crops as quick as they can, and to earn the most they can for their own and Families Benefit.

Objection II. The *English* sell to the *Dutch* their small *Oysters*, or *Brood*, who export them to *Holland*; therefore, a Supply from *France* is wanted, to make good that Export.

Answer. The *English* sell the *Dutch* about 25,600 Bushels of full grown *Oysters* yearly, and but very little, if any *Brood*, and they bring back 4,500 *l.* a Year of our Money for *Oysters*, and lay out, for Flesh, Bread, Pewter, Brass and sundry other Wares, when they come for *Oysters*, about 2,000 *l.* more; and our Growth will fully supply this Export, which is always reckoned Part of the Demand and Consumption of our *English Oysters*.

French

French Oysters sell cheaper at Market than *English Oysters*; and, therefore, the *Importation* ought to go on in the Way it is, without any *Alteration* of the Duty, or in the Importers *Method* of valuing their Oysters. Objection III.

The Price of the same Species of Viands and Food differs at all Markets, according to their good or bad Qualities. Without saying more, it will not be pretended that *French Oysters* are comparable to the *English Oysters*. Answer.

But, besides the *Oysters* brought to *Billingsgate-Market* from the Fisheries of *Kent* and *Essex*, there are great Quantities brought thither every Season from the *West* and *North Channels*.

And several Cargoes of very good *Oysters* are also brought to *Billingsgate* from *Scotland*.

And, from the fruitful Production of *Oysters* yearly all over the *British Seas*, and salt Waters, the Quantity and Growth do and will always exceed the Consumption, excepting the *Accidents* before stated.

Therefore it is humbly hoped, for the above Reasons, and for promoting so useful a Branch of Trade and our home Oyster-Fisheries, that the English Dredgers and Fishermen will have the Indulgence and Encouragement of this HONOURABLE HOUSE, against the Importation of Oysters into this KINGDOM.

The CASE of the *Essex* Importers of *French Oysters*.

Humbly submitted to the Consideration of the Honourable the House of COMMONS.

THE Oyster-Dredgers, or Fishermen of the Oyster Fisheries, in *Kent*, *Essex*, *Sussex*, and *Southampton*, having lately applied to the Lords Commissioners of His Majesty's Treasury, complaining of

many great Hardships they would insinuate they now labour under, from the Importation of *French* Oysters into this Kingdom; and (in order to conceal the principal Design intended by this Application) they would have it believed, That great Frauds have happened in the Payment of the present Duties on *French* Oysters; and therefore, to prevent such Abuses for the future, and that the Trade might be carried on upon a more equal Footing, they prayed, That a specifick Rate or Duty might be put upon them.

As this Matter now lies before this HONOURABLE HOUSE, the *Essex* Importers think it their Duty to state the Consequences that must attend the laying a specifick, or certain Rate on Foreign Oysters imported.

First, the Crown must lose the present Duties paid on the Importation of Foreign Oysters; because laying a specifick Rate, or Duty, or, at least, so much as they now apply for, must, at all Events, amount to a Prohibition.

Secondly, The *Kentish*, &c. Oyster-Dredgers will monopolize the whole Oyster Trade, and then the *London* Market cannot be plentifully supplied, especially so long as the Legislature permits the great Exportation of *English* Oysters, as well Brood in the Spring, as Grown Oysters in Winter, to *Holland* in *Dutch* Bottoms, Duty free. The Prices of Oysters at *Billingsgate* will be greatly advanced, and consequently many Thousands in the Cities of *London*, *Westminster*, and Borough of *Southwark*, who get an honest Living by retailing Oysters, will be intirely destitute of the Means to support themselves and Families.

Objection I.

By the Report of the Commissioners of His Majesty's Customs, now lying before this Honourable House, it is there said, That it appears to them, that the Revenue had been greatly defrauded by the Importers of *French* Oysters; First, Because the Importers have enter'd them, on Importation, at different Values; And Secondly, By two Cargoes imported, which were entered and valued, on the Oath of the Importer, at Five Pounds each; and that the same were immediately sold for Fifty Pounds each.

Answer.

If the *Essex* Importers had been permitted, when the

the Affair lay before their Honours the Commissioners of the Customs, to have been examined *Viva voce*, as they petitioned for, and which was granted to the *Kentish* Fishermen, they could have easily undeceived them; for Oysters being a tender Animal, and liable to many Accidents, but more especially so, when imported from foreign Parts, when, by many accidental Delays on their Importation, by contrary Winds, or stormy and tempestuous Weather, sometimes one Third, sometimes one Half, nay, frequently whole Cargoes have died before they could be laid on their Oyster-Grounds, which the Importers think must have been an unanswerable Reason for the different Values set upon Oysters on their Importation; for it cannot be supposed that the Importers could put an equal Value on dead Oysters with the living; and, therefore, to lay a certain Rate, or Duty on Oysters imported, must, undoubtedly, put a Stop to their Importation, and, consequently, the Crown must lose the present Duties. The two Instances, mentioned in the Report now before this Honourable House, the *Essex* Importers humbly think can in no wise affect them, because those two Cargoes, there taken Notice of, were imported by those Persons who are now applying for a specific Duty; and, it is more than probable, the same was calculated to give them an Opportunity for this present Application.

The *Kentish*, &c. Oyster-Dredgers, as the Importers are informed, have proposed, that the Sum of 9d. Duty per Bushel, strike Measure of the *Winchester* Corn Bushel, be laid on all *French* Oysters imported, in order to put the Trade, as they pretend, upon an equal Footing. Objection II.

The *Essex* Importers beg Leave to say, That the *Kentish* Oyster-Dredgers had no Occasion to distinguish the Duty of 9d. to be paid by the *Winchester* Corn Bushel; for, was it limited to the *Billingsgate* Oyster Bushel, which is near three *Winchester* Corn Bushels, and, consequently, makes two Shillings and three Pence per Bushel Duty, instead of nine Pence, at *Billingsgate*, which is often more than they sell them for there, clear of Charges, it must totally prohibit the Importation;

Answer.

Importation; but, as they are begun, they are willing to make sure Work of it.

Objection III. The *English* Oyster-Dredgers say, That there is Plenty both of Brood and grown Oysters of the *English* Growth to supply all Markets, without importing foreign Oysters; and that such Importation countenances Smuggling.

Answer. The *Essex* Importers insist, That the contrary is true; for it is notorious that those very Oysters which the *Kentish* Oyster-men now sell at *Billingsgate*, from four to five Shillings *per* Bushel, were (before the Importation of *French* Oysters) sold at the same Place for sixteen Shillings *per* Bushel, which the Importers think is a Demonstration of the Scarcity of *English* Oysters, and the Necessity there is to continue the Importation. And the *Essex* Importers are persuaded, that the *Kentish*, &c. Oyster-Dredgers cannot deny but that they constantly purchase of them, every Year, all the lean Stock they can catch; and would yearly purchase more from them, if they could be had; tho', to oppress the *Essex* Oyster men, and even to force them to seek for Oysters abroad to lay on their Grounds, they have, of late Years, advanced the Price of Brood, or lean Stock, from seven Pence *per* Tub, a Measure they sell by, to sixteen Pence. And, can it be imagined, if there was such Plenty of *English* Oysters as is represented, but that the *Essex*, and other Importers, would not much rather purchase their lean Stock in *England*, than to go to any foreign Market, and run the Risque of the many Accidents Oysters are subject to, and to pay the large Duties now payable on the Importation? And the Importers humbly conceive, that the permitting so many of the * *Dutch* Vessels to come upon the *English* Coast for Oysters, has been the greatest Encouragement for Smuggling on the *Kentish* and other Coasts, where, under that Pretence, run in all Kinds of prohibited Goods; the Truth of which, appears from the great Number of Smugglers who lurk about that Coast, and occasion the many Riots and Disorders which so frequently happen, in opposing

* The *Dutch* Vessels have large Wells, which make them very convenient for the Smuggling Trade.

His Majesty's Officers in their Duty; and which must of Necessity continue so, as long as the *Dutch Vessels* are permitted to come on those Coasts, under Pretence of buying Oysters.

If the Importation of Oysters should be prohibited, the same, if not greater Inconveniencies must attend it, than the prohibiting the Importation of Lobsters and Turbets in foreign Bottoms did, by an Act of Parliament of the 10th and 11th of *William III.* for, in that Case, it was soon found, that such Prohibition occasioned the Price of Lobsters and Turbets to increase so much, that the same was afterwards repealed, and, thereupon, they became plenty, and cheap at *Billinggate-Market*.

From all which, the *Essex* Importers think it must appear evident to every Person, that the main Scope and Design of the *Kentish*, &c. Oyster-Dredgers, is to get such a Duty laid on *French* Oysters, as will amount to a Prohibition; the Consequence of which must be, the present Duties will be sunk, the Price of Oysters greatly increased, and the *Essex* Oyster-men deprived of that Trade by which they have industriously supported themselves and Families.

Therefore they humbly hope this Honourable House will take their Case into Consideration, and permit the Importation of Oysters in the same Manner as it hath been hitherto carried on.



*The REPLY of the Oyster-Dredgers, or
Fishermen of the Oyster-Fisheries in Kent,
Essex, Suffex and Southampton; to the
CASE of the Essex Importers of French
Oysters.*

*Humbly addressed to the Honourable the HOUSE of
COMMONS.*

THE Importation of *French Oysters* being become excessive, and the *English Oyster-Dredgers* under very great Harships and Discouragements in their Trade by the Importation, the Importers, or Persons concerned, paying a very *small* Custom, and sometimes *none*, as the Duties are payable *ad valorem*, they are sworn much under *true Value*. And Oysters being of a *perishing* Nature, that the *Officers* of the Customs cannot prevent the *Fraud*, by taking the Oysters into their Custody, as is provided in the Case of other Goods undervalued, by 11th GEO. I. The *English Oyster-Dredgers*, by their Petition to the Right Honourable the Lords of the TREASURY, represented their Case, and prayed that *foreign Oysters* might be *specifically rated*, and the Petitioners relieved.

The Petition was referred to the Examination of the Honourable the Commissioners of the *Customs*, on the *eighth of February* last; and by an additional Petition to the Commissioners of the *Customs*, the Oyster-Dredgers hoped, considering the *great Charge* they are at in their Trade and Business, that *French Oysters* should be so rated, as not to pay less than *two Shillings* for every Bushel, and that the Contents of such Bushel might be ascertained, which would increase the Revenue, by preventing the Frauds at present practised, and be an Encouragement to the *English Dredgers*.

The *Essex Importers*, in their printed Case, delivered at the Door of this HONOURABLE HOUSE, charge the Honourable the Commissioners of the Customs

toms with *Partiality*, in not permitting them to be examined *Viva voce*, and which (they say) was granted to the *Kentish* Fishermen.

This Accusation is false, and *very indecent*; for every one concerned in the Attendance before the Commissioners on this Affair, knows very well that neither Side was heard *Viva voce*; but the whole Proceedings upon the Reference were carried on in Writing.

For this Purpose, the Agents for the *English* Dredgers, by a *Memorial*, stated the whole Affair, and the Difference in the Trade between the DREDGERS and the IMPORTERS. And, altho' the Importers were as sensible of the Application as the Petitioners themselves, and had Copies of the Petitioners Papers from the Office; yet they did not appear before the Board till the *Second of March*; and their late Application was made (as is apprehended) with a *View* to delay the Petitioners, and frustrate their Hopes of Relief this *Sessions of Parliament*; for they continued their Importation at the *Undervalues* during these Proceedings, and have laid a considerable Crop on their Shores; and, in Defiance of the Law, laid some of them before they made any Entry.

But, on the *Second of March*, the Importers, both of *Essex* and *Kent*, presented their Petitions, with very long *Memorials*, by way of Answer, to the Petitioners, and the Petitioners Agents, delivered in a *Reply*; and the Petitioners supported their Charge by Affidavits of Importers valuing *French Oysters* at very low Rates, and selling them to be laid for very great Sums of Money, and a List of the Frauds in different Places, and in different Years, were laid before their Honours, for further Proofs, if required.

But the *Frauds* being notorious in the Country, and the Officers of the Customs below having frequently represented this *Abuse* to the Commissioners, and the whole Affair having been stated on one Side and the other, in the Papers laid before the Commissioners, and neither Side offering any more Papers to their Honours, all Parties were dismissed further Attendance before the Board of Commissioners; and, on the *Twenty second of March*, the Commissioners were pleased to make their Report.

In 1736, 24,510 Bushels of *French* Oysters were imported, the lowest Value of them, in that Year to be *laid* to grow for Market, was 1838 *l.* 9 *s.* the Duty which ought to have been paid, at 65 per Cent, is

l. 1194 *s.* 7 *d.* 3 $\frac{1}{4}$

The Duty paid, as sworn to, was no more than

168 13 4

Fraud against the Revenue that single Year, by *Undervalues* —

1025 13 11 $\frac{1}{4}$

Fraud against the Revenue that Year, by *Non-Entries*, or *Smuggling* of Oysters —

French Oysters imported to be *laid*, sell at a *Medium*, at 2 *s.* 2 *d.* per Bushel.

The Duty which ought to be paid at such *Medium*, is per Bushel

0 1 4 $\frac{3}{4}$

Duty which has been paid at a *Medium*, as by the *Report*, is no more per Bushel than

0 0 1 $\frac{1}{4}$

Duty per Bushel defrauded, at a *Medium*, is

0 1 3 $\frac{1}{2}$

The *Medium* of the Quantity reported since the Importation began, is 11883 Bushels yearly.

The yearly Duty whereof, at the above *Medium*, amounts to

823 18 6 $\frac{3}{4}$

The *Medium*; or Duty paid yearly for that Time, is only

56 9 5 $\frac{3}{4}$

The *Medium*, or Duty defrauded for that Time, has been yearly

767 9 1

Therefore the amount of the *Fraud* during the Importation, for the Oysters reported, is

13814 3 6

And by Oysters not reported, a much greater Sum —

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The *Importers* alledge, in their printed Case, that, by contrary Winds, and other Accidents, sometimes a *Third*, a *Half*, and frequently *whole* Cargoes have died in the Importation, which they think must have been an *unanswerable Reason* for the different Values set upon imported Oysters; for (they add) it cannot be supposed they could put an equal Value on *dead* Oysters with the *living*.

All this was urged in the *Importers Memorials* before the Commissioners: It was then, as is now admitted, by the Petitioners, sometimes to be the Case; and this Pretence is the Mother of the Iniquity of *Non Entries* and *Low Values*. But the *Importers* cannot produce one Instance where this has been given as a Reason to the *Customhouse*, either for a *short Entry*, or a *low Valuation*.

The Condition of imported Oysters is as well known, by People conversant in Oysters, as any Thing; and, whether *perishing*, or *dead*, easy to be distinguished. It is not to be supposed any one would pay (because no Duty could be requir'd) for *dead* Oysters, as they are then an Incumbrance, and not a Convenience, or of Use; and the *Importers* have more Sagacity than to do so. But it is very well known, that Quantities of Oysters, *said to be dead*, when first imported, are *alive* at *Billingsgate Market*, several Months after the Importation.

But how, or by whom is the Condition of imported Oysters now judged of? For, where one Vessel is delivered with an *Officer* on Board, many are delivered without an *Officer*, and a *juggling Entry* and *Valuation* made afterwards. There are known Instances, when an *Officer* has been on board, and has seen a Vessel delivered, that the *Importers* have, at the *Customhouse*, upon their Oaths enter'd *less* than *half* the Quantity as the *Whole*, and put a Value upon the Quantity enter'd, *less* than paid for them in *France*, and yet in a *quick* and *good Condition*, neither *dead*, or *perishing*, and evident to all *By-standers* to be so.

But the Truth of the Case, with regard to *perishing* imported Oysters from a long Passage, is this: Leave is given to lay them by themselves in the Fisheries, and a while after, they are examined, and paid for as

they prove ; but very few, if any one Instance can be given, of an Entry made of such Oysters ; it is then given out that they are thrown away as *dead* ; and yet the Importer has often, at an after Time, received a good Price for them.

The *Essex* Importers think the two Instances of *Undervalues*, mentioned in the *Report*, can in no wise affect them, because those Cargoes were imported (they say) by the Persons now *applying* for a specifick Duty ; and say, that it is more than *probable* they were calculated to give them an Opportunity for the *present* Application.

These two Instances of *fraudulent Valuations* were contained in the List, with many others, laid before the Commissioners of the Customs ; the Proof was made on the Oath of a Person of great Veracity, who swears that one *Thomas Ellis*, in *March 1720*, imported a Voyage of Oysters from *Concale* in France, and valued them *on his Oath at Five Pounds*, and no more, at the *Customhouse* ; and sold the same immediately to the Fishery of *Milton* in *Kent*, for *Sixty one Pounds, twelve Shillings and Six pence* ; and that *John Hoysted*, in *March, 1722*, imported a Voyage from *Concale* in France, and valued them *on his Oath at Five Pounds*, and no more, at the *Customhouse* ; and sold them immediately to the same Fishery for *Fifty four Pounds and Three pence*.

One of these Importers has been *dead* many Years, and the other, for many Years, has *left off* the Trade. These Cargoes were not imported by the *Petitioners* ; nor could they, *so many Years ago*, be calculated to give an Opportunity for the *present* Application ; nor are the *Essex* Importers charged with these two Instances. They were produced, among others, to shew the *Fraud*, and the Beginning of the *low Values*.

For it is a well known Thing, that, *now adays* he who imports 1400 Bushels, *Kentish* Measure, if he thinks fit to make an Entry, don't, upon his Oath, report above 500, and sometimes but 400 Bushels, as the *Whole* of his Cargoe ; and the different Ways the Entries are made in by the Importers, as by the *Busbel*, the *Wash*, the *Thousand* and the *Basket*, are

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Contrivances to conceal the true Quantities, and to carry on the *Juggle* of avoiding the proper Duty.

The Importers may very well afford to pay a *full* Duty ; for the *excessive* Growth of the Shell, in a short Time after the *French* Oysters have been in the *English* Waters, double the Quantity in Measure ; which deserves Consideration in settling the *Quantum* of the Rate to be laid on every Bushel.

In the Petitioners Papers, laid before the Commissioners of the Customs, is stated the *Inequality* of the Trade between themselves and the Importers, arising from the *Frauds* ; and it is shewed, that *Two Shillings* and *Two pence per Bushel* is the *Medium* of the Prices *French* Oysters have been sold at in *England* to be laid in the Fisheries ; and that the *English* Oysters cost the Storers a good deal more to be laid.

That as the *Importers* are very few, and the *Oyster-Dredgers* very numerous, the Profit which will make a Dividend between the few, will divide nothing to a great many ; and, therefore, the *Importers* having their Oysters very cheap, undersel the *English* Oysters, and get rid of them at any Rate ; especially as the *French* Oysters are very different in *Quality* from the *English* Oysters.

For very few (if any) *Fishmongers*, and but the meanest of the *Retailers* in *London*, *Westminster* and *Southwark*, buy the *White Shells* (as the *French* Oysters are called) and those who do retail them, disguise them for several Reasons.

In the *ENGLISH* *Oyster-Fisheries* are employed many People, and a considerable Revenue arises to the Crown, by the Consumption in their Vessels and way of Trade, of Iron, Sail Cloth, Hemp, Pitch, Tarr, Soap, Leather, and many other customable Merchandizes ; and they are a PUBLICK CONVENIENCE in breeding up Numbers of good SEAMEN for His MAJESTY'S Ships of WAR.

The *Essex* Importers have not, in their printed Case, denied that there is a *Plenty* both of Brood and Grown *English* Oysters, to supply all Markets, nor have they offered any Reason why there is not, or should not be such *Sufficiency* in the *British* Seas, &c. but take it for a Demonstration of
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a general and continual Scarcity of English Oysters, because the Prices of Oysters at Billingsgate differ, and are sometimes high.

And they give the Lowering of the Prices to the Importation: Now it is certain that the Scarcity of Oysters is occasioned only from the Severity of the Seasons; Frost, Snow and Ice kill Oysters immediately, and whenever such Accidents happen, the imported Oysters will share the same Fate: Nay, the present imported Oysters are more exposed to these Dangers than our Fisheries, as those Oysters lay upon the Shores, and are covered with a little Water, and, when such Extremities happen, the Prices will advance.

The Importers suggest they buy all the lean Stock in the English Fisheries: If this is true, how do the other Fisheries come by the Stocks they lay? They import none, and yet have, every Winter, very considerable Crops of Laid, as well as Native Oysters, for Billingsgate and other Markets; tho', it must be confessed, the laying English Oysters has been very much discouraged by the fraudulent Importation of French Oysters; and if the Price of Oysters, at the Storing Markets, has been advanced, the Storers of all the Home Fisheries pay as much as the Essex Oyster-men; for there is no Difference of Prices in the same Storing Season. And it is very obvious, that the Importers choose rather to go to France for Oysters, than deal with the English Dredgers, as the foreign Oysters, in the Way they are imported, don't cost near the Price (9) of English Oysters; and that they make a greater Shoot in the Shell.

The Pretence of Dutch Vessels coming for Oysters, being an Encouragement for Smuggling, Riots, and Disorders, is as true as some other Parts of the Essex Importers Case; no single Instance of a Riot, or Disorder of this Sort was ever yet heard of upon the English Coasts.

(9) Oysters are bought in France, from One Penny Half-penny, to Eight-pence per Thousand English Money; and a Thousand Oysters, by the general Computation, makes Four Winchester Corn Bushels, even with the Wood, or strike Measure.

And

And, as the English Dredgers are industrious Managers of a Growth of this Kingdom, they humbly hoped such a Duty might be laid on imported Oysters, as should encourage them cheerfully to go on with their Trade and ancient Employment; and a further Duty of Nine-pence the Winchester Corn Bushel they hoped would not be thought unreasonable, and the rather because, by the 12th Geo. I. the fraudulent importing and undervaluing Snuff was prevented, and a Duty ascertained for the Encouragement of the fair Trader; and this Honourable House having agreed to lay Two Shillings per Bushel on all imported Apples, over and above all other Duties, for the Encouragement of the Planters, and a Growth of this Kingdom.

As the Medium of the Prices French Oysters have been sold at in England to be laid, is Two Shillings and Two pence per Bushel; that, in Proportion to 65 per Cent, is computed to be One Shilling and Four-pence Three farthings per Bushel Duty; and the Winchester Corn Bushel is exactly half the Measure called a Bushel used in the English Oyster-Fisheries; and, if a specifick Duty less than this should be laid on imported Oysters, the Trade of the English Oyster-Dredgers, and the Home Fisheries will be utterly ruined.

Therefore the Petitioners the Oyer-Dredgers humbly hope this HONOURABLE HOUSE will take their Case into Consideration, and lay a a proper and certain Duty on all foreign Oysters imported into this Kindom, and not permit the Importation of Oysters in the same fraudulent and pernicious Manner, as it hath been several late Tears carried on.

OBSERVATIONS on the REPLY of the
*Kentish, &c. Oyster-Dredgers to the
Essex Importers CASE.*

*Humbly submitted to the Consideration of the Honourable
the HOUSE of COMMONS.*

THE *Essex* Importers, notwithstanding what is
alleged in the *Kentish, &c. Fishermens RE-*
PLY to their CASE, insist, that, in order to have laid
the

the whole Matter in Dispute before the Commissioners in a true Light, they did petition to be examined personally, and did actually attend, by the Secretary's Order; but for what Reason they know not; they were not examined. And, altho' their Solicitor apply'd to him for Copies of the several Papers laid before their Honours the Commissioners, by the *Kentish*, &c. Dredgers, in order that the Importers might have answered them; yet he was denied it, and only allowed to take a few Minutes from one of their Petitions. (10) The

(10) The *Essex* Importers having in these Papers insisted in a very extraordinary *Manner* on their not being heard or permitted to state the Matter to the Commissioners of the Customs on their *Side*, or having *Copies* of the Petitioner's Papers, it is thought proper to add here the Purport of their Petition to the Commissioners, and to give a further Account of those Particulars.

By their *Petition* they state the Substance of the Dredgers Petition to the *Treasury*, and the Order of Reference to the Customs, and then say

" Your *Petitioners* humbly apprehend it greatly concerned them to lay before your Honours a *true State* of the Matter, which they *have done* in their *Memorial* hereto annexed.

And pray their *Case* may be taken into Consideration before a Report be made on the *Dredgers* Petition, and a Day appointed (*if necessary*) that they may attend in order to give their *Honours* what further Satisfaction they are able concerning the same.

And by the *Memorial* annexed to their Petition they stated all that could be said on their Side, and the *Kent* Importer did the same, so that the whole Affair was laid before the Commissioners in a *true Light*, and in so *strong a Light* that the Fraud appeared enormous, neither to be *justified* or *excused*, and therefore a personal Examination of the *Importers* could not be *necessary*, unless to charge themselves with the *Frauds*, (as in Fact their foregoing Papers do;) nor could their *Memorial* have been drawn up so fully but from considering the *Dredgers* Papers laid before the Commissioners; and when the *Dredgers Agents* applied for *Copies* of the Importers *Memorials*, they were answered, It was reasonable they should have them, as the *Importers* had *Copies* of the *Dredgers Papers* — But these People attend very little to Truth or Fact — The Attendance mentioned in their *Observations* was for this Purpose — They were told by the *Board*, That very great Frauds had been committed in the Importation, and that a Stop ought to be put to it by *rating* Oysters by

The *Kentish*, &c. Oyster-Dredgers, in their *REPLY*, have set forth a very extraordinary Account; and, indeed, if it had been true, a very fraudulent Instance in the *Essex* Importers: But they humbly conceive, that the same is rather calculated to amuse, than to give either a true State of the Case, or Satisfaction to any Person whatsoever; for supposing that 24,510 Bushels of *French* Oysters have been imported, as they alledge in their Reply; yet, after deducting the reasonable Allowances hereafter mentioned, it will then appear that no Fraud has been committed by the Importers.

	l. s. d.
24,510 Bushels of <i>French</i> Oysters, at	1838 9 0
1 s. 6 d. per Bushel.	—

To pay the Freight (11).

on the Importation of

the said Oysters in

English Vessels, which

the Importers are ready

to make appear

To Allowances for dead

(12) Oysters, at a moderate

Computation

	l. s. d.
1540 0 0	38 0 0

	l. s. d.
38 0 0	1578 0 0

	l. s. d.
260 9 0	169 0 0

Neat Value of the said Oysters --- 260 9 0

Neat Duties at 65 per Cent. about 169 0 0

by the Bushel, and the *Minutes* agreed to for the Report were then read to them, and they made no Objection at that Time, yet they don't know what they attended for; so that all this Clamour is frivolous, unwarrantable and contrary to Truth.

(11) They compute 1 s. 3 d. per 1000 Freight, though 6 d. per 1000 is the most, or very near the most ever paid, and 4 d. and 3 d. per 1000 are the more common Prices; so that this Article is evasive and false.

(12) If a Merchant has 2 Cargoes, one of which is lost, and the other arrives safe, he is not to abate for the lost Cargoe out of the other — nor are any dead Oysters reckoned in the 24,510 Bushels reported in the Year 1736; this Item is therefore to be rejected — and the following Paragraph quite destroys it.

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The *Kentish*, &c, Oyster-Dredgers have also, in their said Account, calculated, That the yearly Importation of Oysters from *France* amounted to 11,883 Bushels, or thereabouts: But the *Essex* Importers insist, That they did not import one Bushel of *French* Oysters, from the Year 1724. to the Year 1733; from all which it appears, That their Calculation is very defective and insufficient.

Notwithstanding the Allegations in the *Kentish*, &c. Dredgers REPLY, the *Essex* Importers insist, That on every Importation of *French* Oysters, before one Oyster is laid on their Grounds, they deposite the Duties in the Hands of the proper Officer; and during all the Time of laying their Oysters, there is an Officer on Board the Vessel; and if it is imagined that any of them are dead, the same Officer afterwards views them on the Grounds, in order to examine and see what Condition they are in, and thereupon reports the same to the Collector, and from such Report the *Valuation* is stipulated.

The *Essex* Importers say, That it is very true that *French* Oysters improve considerably when laid on their Grounds, and which they apprehend is the chief Reason of the many Attempts the *Kentish* Fishermen have made to crush the *Essex* Importers, because the *Kentish* Oyster Grounds do not improve the Oysters so well: But they insist that it is equally true, that *French* Oysters, laid and fatten'd on the *Essex* Shore, are generally esteemed the best Oysters, and produce the most Fish of any that comes in Quantities to *Billinggate* Market; the Truth of which appears from the large Quantities of those Oysters bought up by the Fishmongers, and principal Retailers, in *London* and *Westminster*.

That since the *Essex* Oystermen have imported lean Stock from *France*, and thereby reduced the exorbitant Price of Oysters at *Billinggate*-Market, the *Kentish* Oyster-men have taken this present Opportunity, as well as others, to oppress the Importers, in order to discourage them from continuing the Importation; a late particular Instance whereof, the Importers beg Leave to acquaint this HONOURABLE HOUSE, viz. A Body of *Kentish* Oyster-Dredges, to
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the Number, at least, of 400, came, in a hostile Manner, upon the Importers Grounds on the *Essex* Shore, and, in Defiance of the Civil Power there, carried off all the Oysters which they had imported and laid on their Grounds for the Supply of *Billingsgate* Market, hoping, thereby, intirely to crush the Importers, and monopolize the whole Oyster Trade: But the *Essex* Importers having commenced Actions against them, on solemn Trials of the Affair, the *Kentish* Oyster-Dredgers were cast in the Sum of above 6000 *l.* Damages, besides the Costs of Suit.

For these Reasons the Essex Importers humbly hope, that this Honourable House will permit the Continuance of the Importation, or, at least, postpone the further Consideration thereof, till such Time as all Matters can be fairly stated.

REMARKS on the *Essex* Importers OBSERVATIONS, &c.

Humbly addressed to the Honourable the HOUSE of COMMONS.

THE present Application is not made (as is suggested) by the *Kentish* Dredgers only, nor against the *Essex* Importers only; but by the Dredgers of *Kent*, *Essex*, *Sussex*, *Southampton*, and every other Part of the KINGDOM, and against the Importation in general.

It is humbly insisted, that the State of the *Frauds* in the REPLY is true, and not calculated for Amusement, if imported Oysters are to pay a Duty of 65 per Cent, even to the lowest Value sold at in *England*.

Oysters have been sold at moderate and low Prices for seventeen Years and upwards at *Billingsgate*-Market, tho' the *Essex* Importers suggest the Reduction of the

Prices at *Billinggate* is intirely owing to the Importation; and yet the *Essex* Importers insist they did not import one Bushel of *French* Oysters before the Year 1735.

They also insist they deposite the Duties for *French* Oysters in the Hands of the proper Officer, and that there is an Officer on board every Vessel on the Delivery; they don't say the KING's Officer, and are to be understood (as the Truth is) their own People, or Managers.

The two last Paragraphs no way concern the present Question; the Controversy at Law stated, was between the Fishermen of *Milton* and *Queenborough* in *Kent*, and the Lessees of some Shores in *Essex*, upon a Question of Right, in the Years 1714 and 1725, which was before these *Essex* Oyster-men imported Oysters from *France*, as appears from their own shewing; and therefore their Controversies were not calculated to crush these *Essex* Importers; nor were the Oyster Dredgers of *Strood*, *Rocheſter*, *Chatham*, *Gillingham*, nor of the Hundreds of *Feverſham*, or *Whitſtable*, or any other Parts of the County of *Kent* (except *Milton* and *Queenborough*,) or of the Counties of *Essex*, *Suſſex* or *Southampton* concerned in that Controversy.

Therefore the Oyster Dredgers of KENT, ESSEX, SUSSEX and SOUTHAMPTON humbly hope this HONOURABLE HOUSE will now lay a proper and certain Duty on all Foreign Oysters imported into this KINGDOM, and not permit the Continuance of the Importation in the Manner the Essex Importers desire.

A BILL for repealing the Duties payable ad Valorem upon Foreign Oysters imported into this KINGDOM, and for laying another Duty thereon.

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Whereas the several Duties upon Oysters Imported into this Kingdom, are now payable according to the Value sworn to, or affirmed by the Importers, which Method of Ascertaining the Value of such Oysters, by Experience has been found to be liable to great Frauds, such Importers frequently undervaluing the Oysters so imported, to the Detriment of the Publick Revenue, and Discouragement of the Oyster Dredgers of this Kingdom. For Remedying the said Abuse, as well as encouraging our own Fishery, We your Majesty's Most Dutiful and Loyal Subjects, the Commons of Great Britain in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled. And

BE IT ENACTED by the Authority of the same, That all Provisions and Clauses contained in any former Act or Acts of Parliament, so far as they relate to the Ascertaining the Value of Oysters imported from France, according to the Oaths or Affirmations of the Importers, shall from and after the T***** F***** Day of J*** 1737, be and are hereby *Repealed and made void.* **AND** be it further **ENACTED** by the Authority aforesaid, That in Lieu of the said former Duties payable *ad valorem*, and repealed by this Act, all Oysters which shall at any Time or Times after the said *Twenty Fourth Day of June 1737*, be Imported from France into any Port or Place within this Kingdom, shall, upon the Importation thereof, be rated at *7d. per Busbel, Strike Measure, according to the Winchester Corn Busbel*, and shall pay the old Subsidy granted by the Act of Tonnage and Poundage, made in the Twelfth Year of the Reign of King Charles the Second, according to that Rate and Measure (and not according to the Value sworn to or affirmed by the Importers) and in that Proportion for any greater or less Quantity. **AND** be it further **ENACTED** by the Authority aforesaid, That in all Cases where any of the said Oysters are by Law subject or liable to the

Prices at *Billinggate* is intirely owing to the Importation; and yet the *Essex* Importers insist they did not import one Bushel of *French* Oysters before the Year 1733.

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Therefore the Oyster Dredgers of KENT, ESSEX, SUSSEX and SOUTHAMPTON humbly hope this HONOURABLE HOUSE will now lay a proper and certain Duty on all Foreign Oysters imported into this KINGDOM, and not permit the Continuance of the Importation in the Manner the Essex Importers desire.

A BILL for repealing the Duties payable ad Valorem upon Foreign Oysters imported into this KINGDOM, and for laying another Duty thereon.

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Whereas the several Duties upon Oysters Imported into this Kingdom, are now payable according to the Value sworn to, or affirmed by the Importers, which Method of Ascertaining the Value of such Oysters, by Experience has been found to be liable to great Frauds, such Importers frequently undervaluing the Oysters so imported, to the Detriment of the Publick Revenue, and Discouragement of the Oyster Dredgers of this Kingdom. For Remedying the said Abuse, as well as encouraging our own Fishery, We your Majesty's Most Dutiful and Loyal Subjects, the Commons of Great Britain in Parliament assembled, do most humbly beseech your Majesty, that it may be enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled. And

BE IT ENACTED by the Authority of the same, That all Provisions and Clauses contained in any former Act or Acts of Parliament, so far as they relate to the Ascertaining the Value of Oysters imported from France, according to the Oaths or Affirmations of the Importers, shall from and after the T * * * * F * * * * Day of J * * * 1737, be and are hereby *Repealed and made void.* **AND** be it further **ENACTED** by the Authority aforesaid, That in Lieu of the said former Duties payable *ad valorem*, and repealed by this Act, all Oysters which shall at any Time or Times after the said *Twenty Fourth Day of June 1737*, be Imported from France into any Port or Place within this Kingdom, shall, upon the Importation thereof, be rated at *7d. per Busshel, Strike Measure, according to the Winchester Corn Busshel*, and shall pay the old Subsidy granted by the Act of Tonnage and Poundage, made in the Twelfth Year of the Reign of King *Charles the Second*, according to that Rate and Measure (and not according to the Value sworn to or affirmed by the Importers) and in that Proportion for any greater or less Quantity. **AND** be it further **ENACTED** by the Authority aforesaid, That in all Cases where any of the said Oysters are by Law subject or liable to the

the Payment of the further Subsidy, the one third Subsidy, the two thirds Subsidy, the additional Impost, or the Duty payable upon Goods imported from France, or any of them according to the respective Values set thereon, for the said old Subsidy, or in Proportion thereto the same shall, from and after the *said Twenty Fourth Day of June 1737*, be paid proportionably, according to the particular Value set thereon, for the old Subsidy aforesaid, and not according to the Oath or Affirmation of the Importer ; any Thing in the respective Acts which granted the said Duties, or in any other Act to the Contrary notwithstanding. AND be it declared and ENACTED by the Authority aforesaid, That upon the Exportation of any of the said Oysters, so imported within the Time allowed by the Law, the Duties paid or secured for the same at Importation as aforesaid, shall not be drawn back or allowed to the Exporter. AND be it ENACTED and Declared by the Authority aforesaid, That the several Subsidies, Impositions, and Duties upon the said Oysters, shall be paid or secured, and shall be raised, *levied* and collected in such Manner and Form, and by such Ways and Means, and under such *Penalties and Forfeitures*, and with such Discounts and Allowances as are mentioned and expressed in the several Acts of Parliament, which granted or continued the same respectively, and all Powers, *Penalties*, Provisions, Articles, and Clauses therein contained, (except in such Cases where any Alteration is made by this Act) shall continue in full Force and Effect during the Continuance of the said respective Subsidies, Impositions, and other Duties ; and shall be applied, practiced and executed, for the raising, *levying*, collecting, securing, answering, paying and appropriating the said respective Subsidies, Impositions and other Duties, according to the true Intent and Meaning of this present Act, as fully and effectually, to all Intents and Purposes, as if the said Clauses, Matters and Things had been repeated and enacted in the Body of this present Act, any Law, or other Matter, or Thing to the contrary notwithstanding.

F I N I S.

